

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, NOVEMBER 27, 2012 - 7:00 P.M.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE IN THE CITY CLERK'S OFFICE, OR ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019)

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
 - B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
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1. CALL TO ORDER/ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

- 1. Pastor Mario Cinelli, Lighthouse Community Church

3. PRESENTATIONS AND SPECIAL EVENT APPROVALS

- 1. Special Event request for the "7th Annual Dania Beach Vintage Motorcycle Show" to be held at Frost Park on Saturday, January 26, 2013 from 10:00 a.m. to 5:00 p.m. The applicant is also requesting road closures and assistance from the Parks and Recreation Department to prepare Frost Park for the event.

4. PROCLAMATIONS

- 1. Rhonda Calhoun Day

5. CITIZEN COMMENTS

Addressing the Commission: Comments by Dania Beach citizens, or other interested parties that are not part of the regular agenda, may be made during each Commission meeting during the period set aside for "citizen comments." A thirty (30) minute "citizen comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine, on a meeting by meeting basis, whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

6. PUBLIC SAFETY REPORTS

7. CONSENT AGENDA

1. Minutes:

Approve minutes of October 23, 2012 City Commission Meeting
Approve minutes of November 13, 2012 Biennial Organization Meeting
Approve minutes of November 15, 2012 Abatement Hearing

2. Travel Requests: None

3. RESOLUTION NO. 2012-146

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR "GUARANTEED PARTIAL SERVICE BUILDING CODE SERVICES" TO BE PERFORMED BY THE BROWARD COUNTY PERMITTING, LICENSING AND CONSUMER PROTECTION DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2012-150

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO PURCHASE ADDITIONAL FLOOD INSURANCE FROM AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA IN AN AMOUNT NOT TO EXCEED \$8,849.00 FOR THE PERIOD FROM OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2012-151

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING AND ACCEPTING THE TRANSFER OF A NOT TO EXCEED AMOUNT OF \$8,060.00 FROM THE COMMUNITY REDEVELOPMENT AGENCY ("CRA") BUDGET APPROPRIATIONS TO THE CITY CAPITAL PROJECTS' FUND, TO PROVIDE ADDITIONAL FUNDING FOR CONSULTING SERVICES WITH IBI GROUP, RELATING TO THE US-1 LANDSCAPE IMPROVEMENTS, PHASE II PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2012-152

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH,

FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE GASOLINE AND DIESEL FUEL IN AN AMOUNT NOT TO EXCEED \$126,870.00 THROUGH FISCAL YEAR 2012/2013 INCLUSIVE OF AN EXISTING EMERGENCY PURCHASE ORDER OF \$24,999.00 FROM PORT CONSOLIDATED UNDER SOUTHEAST FLORIDA GOVERNMENTAL CO-OP BID RFP NO. 09-A-149; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7. RESOLUTION NO. 2012-153

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DUMONT COMPANY INC, FOR WATER TREATMENT PLANT CHEMICALS (FLUORIDE, ANTI-SCALANT, ZINC ORTHOPHOSPHATE, SODIUM HYPOCHLORITE, PHOSPHATE AND SODIUM HYDROXIDE) FOR AN AMOUNT NOT TO EXCEED \$45,000.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. RESOLUTION NO. 2012-154

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A TWO (2) YEAR CONTRACT RENEWAL AGREEMENT FOR DANIA BEACH MARINA MANAGEMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$115,566.00 PER YEAR WITH WESTREC MARINA MANAGEMENT INC; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9. RESOLUTION NO. 2012-155

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RATIFYING AND APPROVING THE INCREASED SCOPE OF WORK PERFORMED BY R&R ELECTRIC OF BROWARD, INC., BY AN AMOUNT OF \$18,600.00 FOR ADDITIONAL ELECTRICAL CONSTRUCTION SERVICES RELATING TO IMPROVEMENTS AT THE DANIA BEACH PIER AND PIER RESTAURANT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. RESOLUTION NO. 2012-156

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE SIDEWALK REPLACEMENT MATERIALS AND PROVIDING FOR THE INSTALLATION OF SIDEWALK CONSTRUCTION SERVICES, INCLUDING COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (THE "ADA") TO BE PERFORMED BY METRO EXPRESS, INC. IN AN AMOUNT NOT TO EXCEED \$95,400.00 IN

FISCAL YEAR 2012-2013, UNDER THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE GROUP BID ITB NO. 09-10-069; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

11. RESOLUTION NO. 2012-102

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AND ACCEPT AN AMENDED EASEMENT FROM MEADOWBROOK LAKES VIEW CONDOMINIUM ASSOCIATION, INC., A FLORIDA CORPORATION, AND MEADOWBROOK LAKES VIEW CONDOMINIUM ASSOCIATION "A", INC., A FLORIDA CORPORATION, (EACH INDIVIDUALLY AND COLLECTIVELY, THE "GRANTOR"), FOR PURPOSES OF DRAINAGE, WATERMAIN, STORMWATER AND OTHER SIMILAR FUNCTIONS, FOR THE BENEFIT OF THE GRANTOR AND THE REAL PROPERTY DESCRIBED ON THE ATTACHED EXHIBIT "A"; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

12. RESOLUTION NO. 2012-157

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH A1A EMPLOYMENT OF MIAMI A/K/A A1A EMPLOYMENT SERVICES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO PROVIDE STAFFING SERVICES FOR PIER ATTENDANTS AND OPERATING SERVICES, WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS IN AN AMOUNT NOT TO EXCEED \$150,000.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

13. RESOLUTION NO. 2012-158

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN EXTENSION TO AN AGREEMENT FOR AN ADDITIONAL ONE (1) YEAR PERIOD WITH JEFF ELLIS MANAGEMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, RELATING TO AQUATIC FACILITIES' MANAGEMENT FOR THE PROVISION OF LIFEGUARD, OPERATION, AND MAINTENANCE SERVICES FOR THE C. W. THOMAS PARK POOL AND THE P. J. MELI AQUATIC COMPLEX; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

14. RESOLUTION NO. 2012-159

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE APPROPRIATION AND USE OF STATE LAW

ENFORCEMENT TRUST FUNDS IN AN AMOUNT NOT TO EXCEED \$2,500.00 FOR THE PURCHASE OF ATHLETIC SAFETY EQUIPMENT FOR THE OPTIMIST CLUB OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

15. RESOLUTION NO. 2012-160

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT TO BE ENTERED INTO BETWEEN THE CLERK OF COURTS (SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY, FLORIDA) AND THE CITY OF DANIA BEACH TO PROVIDE FOR THE ADMINISTRATIVE PROCESSING BY THE CLERK OF COURTS OF PARKING CITATIONS (TICKETS) ISSUED BY THE CITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

16. RESOLUTION NO. 2012-161

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO AN AGREEMENT EXISTING BETWEEN THE CITY OF DANIA BEACH AND BROWARD COUNTY RELATING TO WATER SAFETY INSTRUCTION/EDUCATION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

17. RESOLUTION NO. 2012-163

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RATIFYING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DANIA BEACH, FLORIDA AND AFSCME FLORIDA COUNCIL 79, AFL-CIO LOCAL 3535 FOR A ONE YEAR PERIOD OF OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013 AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE AGREEMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

18. ORDINANCE NO. 2012-027

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE DISSOLUTION OF THE AQUA ISLES COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING AN EFFECTIVE DATE.
(FIRST READING)

19. ORDINANCE NO. 2012-028

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE II "GAMBLING" OF CHAPTER 17 "OFFENSES-MISCELLANEOUS" TO CREATE DIVISION 4 "SIMULATED GAMBLING DEVICES" IN ORDER TO PROHIBIT SIMULATED GAMBLING DEVICES WITHIN THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

8. BIDS AND REQUESTS FOR PROPOSALS

1. RESOLUTION NO. 2012-149

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING T.D. BANK, N.A., AS THE MOST RESPONSIVE AND RESPONSIBLE RESPONDER TO THE CITY'S REQUEST FOR REFINANCING AND REFUNDING OF THE CITY'S EXISTING SALES TAX BONDS; AUTHORIZING THE CITY MANAGER AND OTHER OFFICERS TO TAKE ALL NECESSARY STEPS TO PREPARE AND EXECUTE FINAL BOND AND LOAN DOCUMENTS; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2012-026

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF CITY FUNDS EXCEEDING ONE MILLION DOLLARS (\$1,000,000.00), TO REFUND THE CITY'S EXISTING SALES TAX REVENUE BOND; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

2. ORDINANCE NO. 2012-022

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY BATIA DAYAN ON BEHALF OF 4760 LLC, FOR A REZONING AND FLEX ALLOCATION FOR PROPERTY LOCATED AT 4760 SW 42 TERRACE IN THE CITY OF DANIA BEACH, FLORIDA, FOR PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A"; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM RESIDENTIAL (RS-6000) TO COMMERCIAL (C-2) AND ASSIGNING A COMMERCIAL LAND USE DESIGNATION, SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR

CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Continued from August 14, 2012, August 28, 2012, September 11, 2012, and October 23, 2012)*

3. RESOLUTION NO. 2012-147

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST FOR A VARIANCE (VA-44-12) SUBMITTED BY ROBERT CURBELO JR. OF THE COHEN BROTHERS REALTY CORPORATION, REPRESENTING THE DESIGN CENTER OF THE AMERICAS, LLC FOR RELIEF FROM THE DANIA BEACH LAND DEVELOPMENT CODE, SECTION 505-100, "SIGNAGE REGULATIONS FOR BUSINESS PARKS IN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS", FOR PROPERTY LOCATED AT 1855 GRIFFIN ROAD IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2012-148

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST (SP-09-12) SUBMITTED BY MARK GELDERS ON BEHALF OF CLMIA, LLC, FOR PROPERTY LOCATED AT 4470 RAVENSWOOD ROAD IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2012-162

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2012-2013 IN THE APPROXIMATE AMOUNT OF \$145,000.00 TO PROVIDE FUNDING FOR A NEIGHBORHOOD STREETScape PROJECT; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE APPLICATION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. DISCUSSION AND POSSIBLE ACTION

11. COMMISSION COMMENTS

- 11.1 Commissioner Brandimarte
- 11.2 Commissioner Flury
- 11.3 Commissioner Grace
- 11.4 Vice-Mayor Jones
- 11.5 Mayor Duke

12. APPOINTMENTS

1. Broward League of Cities
 - 1 Director
 - 1 Second Alternate
2. Airport Advisory Board
 - Mayor Duke - 3 appointments
 - Vice-Mayor Jones - 3 appointments
 - Commissioner Brandimarte - 3 appointments
 - Commissioner Flury - 3 appointments
 - Commissioner Grace - 3 appointments
3. Creative Arts Council Advisory Board
 - Mayor Duke - 1 appointment
 - Vice-Mayor Jones - 1 appointment
 - Commissioner Brandimarte - 1 appointment
4. General Employees Pension Board
 - 1 Commission Representative
5. Grant Advisory Board
 - Mayor Duke - 1 appointment
 - Vice-Mayor Jones - 1 appointment
 - Commissioner Brandimarte - 1 appointment
6. Green Advisory Board
 - Mayor Duke - 1 appointment
 - Vice-Mayor Jones - 1 appointment
 - Commissioner Brandimarte - 1 appointment
7. Marine Advisory Board
 - Mayor Duke - 3 appointments
 - Vice-Mayor Jones - 3 appointments
 - Commissioner Brandimarte - 3 appointments
 - Commissioner Flury - 3 appointments
 - Commissioner Grace - 3 appointments
8. Nuisance Abatement Board
 - Mayor Duke - 1 appointment
 - Vice-Mayor Jones - 1 appointment
 - Commissioner Brandimarte - 1 appointment
 - Commissioner Flury - 1 appointment
 - Commissioner Grace - 1 appointment
 - 2 Alternate Positions

9. Parks, Recreation & Community Affairs Advisory Board

Mayor Duke - 2 appointments
Vice-Mayor Jones - 2 appointments
Commissioner Brandimarte - 2 appointments
Commissioner Flury - 2 appointments
Commissioner Grace - 2 appointments

10. Planning & Zoning Board

Mayor Duke - 1 appointment
Vice-Mayor Jones - 1 appointment
Commissioner Brandimarte - 1 appointment
Commissioner Flury - 1 appointment
Commissioner Grace - 1 appointment
2 Alternate Appointments

13. ADMINISTRATIVE REPORTS

13.1 City Manager

13.2 City Attorney

13.3 City Clerk - Reminders

Wednesday, December 5, 2012 - 6:00 p.m.
Tuesday, December 11, 2012 - 7:00 p.m.

CRA Board Meeting
City Commission Meeting

14. ADJOURNMENT